

House Bill 311

By: Representative Powell of the 29<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 5 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated,  
2 relating to service creditable toward retirement benefits under the Employees' Retirement  
3 System of Georgia, so as to provide that any member of such retirement system who was,  
4 immediately before becoming a member, employed by a county correctional facility may  
5 obtain creditable service for such prior service; to provide for application and payment of  
6 contributions; to provide limitations; to provide conditions for an effective date and  
7 automatic repeal; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 5 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to  
11 service creditable toward retirement benefits under the Employees' Retirement System of  
12 Georgia, is amended by inserting at the end thereof a new Code section to read as follows:  
13 "47-2-101.

14 (a) Any member of this retirement system who, immediately prior to becoming a member,  
15 was an employee of a county correctional facility may obtain no more than seven years of  
16 creditable service as an employee of such county correctional facility under the conditions  
17 contained in this Code section.

18 (b) Any person desiring to obtain the creditable service authorized by subsection (a) of this  
19 Code section shall make application in such manner as the board of trustees deems proper;  
20 tender to the board of trustees such proof of the prior employment as the board shall deem  
21 necessary; and pay to the board of trustees the employee contributions as would have been  
22 paid if the member had been a member at the time of performing such prior service,  
23 together with regular interest thereon compounded annually to the date of payment. The  
24 basis for calculating such contributions shall be the employee's salary upon first becoming  
25 a member of this retirement system.

1 (c) No creditable service may be obtained pursuant to this Code section for any period of  
2 service for which creditable service has been or may be obtained in any other state or local  
3 public retirement system.

4 (d) Application for creditable service authorized by subsection (a) of this Code section  
5 must be received by the board of trustees not later than December 31, 2006."

6 **SECTION 2.**

7 This Act shall become effective on July 1, 2006, only if it is determined to have been  
8 concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia  
9 Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not  
10 become effective and shall be automatically repealed in its entirety on July 1, 2006, as  
11 required by subsection (a) of Code Section 47-20-50.

12 **SECTION 3.**

13 All laws and parts of laws in conflict with this Act are repealed.